



# CITY OF MARINE CITY

## Planning Commission Meeting Agenda

Guy Community Center, 260 South Parker Street

Regular Meeting: Monday, March 14, 2022 6:00 PM

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1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL:** Commissioners Graham Allan, William Beutell, Benjamin Heath, Keith Jenken, Madelyn McCarthy, Joseph Moran; City Commissioner William Klaassen; City Manager Holly Tatman
4. **COMMUNICATIONS**
5. **APPROVE AGENDA**
6. **PUBLIC COMMENT** *Anyone in attendance is welcome to address the Planning Commission. Please state name and limit comments to five (5) minutes.*
7. **APPROVE MINUTES**
  - A. February 14, 2022 Meeting Minutes
8. **UNFINISHED BUSINESS**
  - A. Vacant Storefronts
  - B. Master Plan Updates: Zoning Maps
9. **NEW BUSINESS**
10. **ADJOURNMENT**

**City of Marine City  
Planning Commission Meeting  
February 14, 2022**

A regular meeting of the Marine City Planning Commission was held on Monday, February 14, 2022 at 260 South Parker Street, and was called to order by Chairperson Moran at 6:16 pm.

The Pledge of Allegiance was led by Chairperson Moran.

**Present:** Chairperson Joseph Moran; Commissioners William Beutell, Madelyn McCarthy; City Commissioner William Klaassen; City Manager Holly Tatman; Deputy Clerk Michele Goodrich

**Absent:** Commissioners Benjamin Heath, Keith Jenken, Graham Allan

**Communications**

None.

**Approve Agenda**

Motion by Commissioner Beutell, seconded by Chairperson Moran, to approve the February 14, 2022 Planning Commission agenda. All Ayes. Motion Carried.

**Public Comment**

None.

**Approve Minutes**

Motion by Commissioner Beutell, seconded by Commissioner McCarthy, to approve the December 13, 2021 meeting minutes. All Ayes. Motion Carried.

**Unfinished Business**

Vacant Storefronts

City Manager Tatman advised the Board that Livonia's ordinance regarding vacant property was in line with what Marine City needed in an effort to deter vacant properties. She stated that properties would need to register as vacant within 90 days and that the Code Enforcer would need to be diligent in noticing vacant properties.

Chairperson Moran questioned if there would be a waiver for property owners who had their building listed for sale, or were diligently working on improvements to the property. City Manager Tatman responded that the City could include stipulations in the ordinance.

City Manager Tatman requested that the Board review the ordinance language and provide their input and recommendations at the next meeting.

## **New Business**

### Planning Commission Annual Report

Motion by Commissioner Beutell, seconded by City Commissioner Klaassen, to approve the Planning Commission Annual Report. All Ayes. Motion Carried.

City Manager Tatman informed the Board that the City needed to confirm if the Master Plan adoption was approved at the City Commission level. Chairperson Moran advised that there was no harm in redoing the process, if necessary.

### Mobile Home Park – 6609 South Parker Discussion

City Manager Tatman advised that she would verify State Law to determine if the City was required to have a zoned Mobile Home Park however, in the event the City did not need one, she wanted the Planning Commission to start thinking about if they wanted to rezone 6609 South Parker.

### Master Plan Updates: Zoning Maps

City Manager Tatman stated that the City's Zoning Maps needed to be updated and inquired if the Planning Commission wanted her to begin that process by reaching out to Adam Young with Wade Trim for a cost estimate.

Chairperson Moran advised that he would like the City Manager to bring back a quote from Wade Trim.

City Commissioner Klaassen stated that most Zoning Maps have a list of nonconformities.

## **Adjournment**

Motion by City Commissioner Beutell, seconded by City Commissioner Klaassen, to adjourn at 6:49 pm. All Ayes. Motion Carried.

Respectfully submitted,

Michele E. Goodrich  
Deputy Clerk

Kristen Baxter  
City Clerk

CITY OF MARINE CITY  
ST. CLAIR COUNTY, MICHIGAN  
ORDINANCE NO. 22-01

AN ORDINANCE OF THE CITY OF MARINE CITY, ST. CLAIR COUNTY, MICHIGAN TO AMEND LAND USE TITLE XV, CHAPTER 158, SECTION 145 ET SEQ. ENTITLED "BLIGHT PREVENTION."

THE CITY OF MARINE CITY ORDAINS:

**SECTION 1. AMENDMENT.**

**Chapter 158.145** et seq. is hereby amended to read as follows: \_\_\_\_\_

**Section 158.145. Purpose.**

It is the purpose of this article to prevent, reduce, or eliminate blight by preventing and eliminating contributing factors and causes of blight in the City. The City Commission determines that the presence of vacant and abandoned structures creates blight. It is recognized that blight lowers property values, leads to deteriorating conditions, undermines the quality of life, affects the public health, safety, and general welfare and also results in human injury and criminal activities. It is also determined that vacant and unoccupied structures demand an inordinate amount of city administrative and ordinance enforcement resources. As such, the City Commission finds the prolonged presence of vacant and abandoned structures to be unacceptable to the citizens of Marine City.

**Commented [Young, Ad1]:** Is the City proposing to delete the current blight regulations found in Sections 158.145 through 158.148? These existing regulations cover things like blighted structures, keeping of junk, keeping up with the mowing of grass, etc. Assuming that you do NOT want to delete the current provisions, this will need to be revised. What you could consider is having a new heading within Chapter 158 called "Vacant and Abandoned Structures" and establish new sections starting with Section 158.149.

**Section 158.146. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(A) Abandoned Commercial Structure means and includes:

1. Any single tenant building located in a commercially zoned district which has been unoccupied by a tenant for a period of ninety (90) consecutive days or which satisfies one (1) of the supplementary conditions defined in subsection (G), below; or
2. Any multi-tenant building located in a commercially zoned district which is more than fifty percent (50%) unoccupied for a period of ninety (90) consecutive days or which satisfies one (1) of the supplementary conditions defined in subsection (G), below.

(B) Abandoned Industrial Structure means and includes:

1. Any single tenant building located in an industrially zoned district which has

been unoccupied by a tenant for a period of ninety (90) consecutive days or which satisfies one (1) of the supplementary conditions defined in subsection (G), below; or

2. Any multi-tenant building located in an industrially zoned district which is more than fifty percent (50%) unoccupied for a period of ninety (90) consecutive days or which satisfies one (1) of the supplementary conditions defined in subsection (G), below.

(C) Abandoned Structure means and includes commercial, or industrial structure as defined herein.

**Commented [Young, Ad2]:** There is no definition for Abandoned Office Structure. Office is the same as commercial. You can just delete it.

(D) Accessory Building means a subordinate structure on the same premises as the main structure, the use of which would be naturally and normally incidental to that of the main structure, whether the main structure is an abandoned structure or not, such as, but not limited to, a garage, barn, or storage shed.

(E) Owner means any person with legal or equitable ownership interest in the structure.

(F) Secured means a building which has all points of entry into the structure either:

1. Closed by use of windows and doors which are in proper working order, intact, without holes, broken elements, and are locked; or
2. Secured by exterior grade plywood in compliance with this subchapter.

(G) Supplementary conditions shall mean and include the following:

1. Is open to casual entry or trespass;
2. Is damaged by fire, flood, weather, or vandalism;
3. Is the site of loitering or vagrancy;
4. Demonstrates a lack of proper Maintenance Code, Fire Prevention Code, Heating Code, Building Code, or State Construction Code;
5. Is under notice for being in violation of a city ordinance;
6. Has been secured or boarded up for at least ninety (90) days;
7. Has taxes in arrears to the city for more than three hundred sixty-five (365) days;
8. Has utilities disconnected or not in use;
9. Is under condemnation notice or legal order to vacate;
10. Is structurally unsound; or
11. Is a potential hazard or danger to persons.

#### **Sec. 158.147. Registration.**

Owners of abandoned structures shall register such properties with the city and pay a monthly administration fee as set forth in the Fee Schedule. The duty to register an abandoned structure shall not require prior notice to the owner by the City. Registration of

**Commented [Young, Ad3]:** Registration fee? The monthly administration fee is established two sections later.

an abandoned structure does not preclude the city from taking appropriate actions to secure the property or to issue orders to repair or abate dangerous, hazardous, or unlawful conditions or from acting to eliminate an imminent hazard to public health and safety.

**Sec. 158.147. Registration Information.**

(A) For each abandoned structure each owner shall register with the City and provide the following information on an abandoned structure registration form available from the City:

1. The address of the abandoned structure;
2. The legal names of all owners of the property and each owner's date of birth, if applicable;
3. The complete mailing address of all owners;
4. Telephone number of each owner, including cell phone numbers;
5. Proof of identification of each owner;
6. The name, address, and telephone number of any local agent or representative authorized by the owner to handle the affairs of the property;
7. The reason for vacancy of the property;
8. The estimated length of time the property is expected to remain vacant; and
9. Any plans for restoration, reuse, or removal with an accompanying timeline and work schedule.

**Commented [Young, Ad4]:** Not sure what "if applicable" means here. It is impossible for someone to not have a legal name or a date of birth. Also, why do we need to know their date of birth?

(B) An owner shall notify the City and file an amended form within seven (7) days of any change in the registration information required by this section.

**Sec. 158.147. Registration and administrative fee.**

(A) An owner of an abandoned structure, whether registered or not, shall pay an abandoned structure registration fee and a monthly administrative fee for the time during which such structure remains an abandoned structure. The abandoned structure registration fee and monthly administrative fee shall be the same amount as the inspection department administrative fee established in the Fee Schedule.

(B) Fees under this section shall be established to support the services rendered by the City in the course of its duties related to abandoned structures. Failure to register an abandoned structure or pay the registration fee and monthly administrative fees shall be cause for penalties to be assessed and are a criminal violation of this subchapter.

(C) The monthly administrative fee shall be paid so that it is received by the City on or before the seventh day of each month, following each month during which the structure was an abandoned structure for fifteen (15) days or more.

(D) A late fee, in an amount equal to fifty percent (50%) of the inspection department

administrative fee rounded up to the next whole dollar amount shall also be payable by an owner of an abandoned structure when the monthly administrative fee is not paid by the due date referenced in the Fee Schedule.

**Sec. 158.147. Recovery of fees.**

If all or part of the fee required by this subchapter are not paid or are overdue, the City may recover such sums by filing suit against the owner for entry of civil money judgment or any other means available by law. The City shall be entitled to all attorney fees and costs incurred in obtaining a warrant or to obtain a judgment against an owner for any overdue or unpaid fees associated with any abandoned structure.

**Sec. 158.147. Securing structures.**

- (A) Unless otherwise specified by the building inspection department, a city order to secure an abandoned structure shall be complied with by the owner within seventy-two (72) hours. If the securing has not been completed or does not comply with the requirements for securing the structure under this subchapter, the city may secure the structure and bill the owner of record for all costs incurred, including service fee, and administrative costs. The amount so billed shall constitute a personal debt of the owner and may be recovered in the same manner permitted for the recovery of fees under this subchapter.
- (B) All points of entry on an abandoned structure that are suitable for animal or human entry shall be secured as follows:
  - 1. Unless otherwise specified by the building inspection department, on all first story and ground accessible points of entry, such shall be secured by the use of exterior grade plywood or its equivalent, of at least one-half-inch thickness, cut to the size of the opening and secured by the use of Phillips-headed two-inch-long screws; and
  - 2. Unless otherwise specified by the building inspection department, on entry points being secured above the first story or were not accessible from ground level, such shall be secured by the use of exterior grade plywood or its equivalent of at least one-half-inch thickness, cut to the size of the opening and secured by the use of sixteen (16) penny common nails.

**Sec. 158.147. Right of entry and inspection.**

If the owner has failed to secure a property the city may, after obtaining a warrant, enter to secure the structure or reenter the structure to conduct necessary inspections to ensure compliance with the requirements of this subchapter and to determine if there are any emergency or hazardous conditions.

**Sec. 158.147. Reuse and re-occupancy.**



(A) Re-Occupancy of Abandoned Commercial or Industrial Structure: The owner of an abandoned commercial or industrial structure shall be required to obtain and pay for special inspections including but not limited to building, electrical, HVAC, and plumbing inspections. The fees set forth in the Fee Schedule shall be in addition to those required by any section of the city ordinances. The owner of an abandoned commercial or industrial structure shall obtain all necessary permits and pay all related fees in full, for work identified as being necessary during a special inspection. Permits shall be obtained and all fees paid in full for any work previously completed without the requisite permit. Each inspection shall be conducted and approved in accordance with the Marine City Code of Ordinances, state codes, Property Maintenance Code, Fire Prevention Code, and Heating Code.

(B) Certificate of Re-Occupancy for Abandoned Commercial or Industrial Structure: A certificate of re-occupancy shall be issued after all of the following conditions are fully satisfied:

1. All fees, including but not limited to late charges and re-inspection fees are paid in full;
2. All inspections and approvals have been obtained from the director of inspection;
3. The fee for the final inspection certificate, set forth in (INSERT) has been paid in full; and,
4. All outstanding fees, charges, and monies owed by the owner of the abandoned structure to the City of Marine City have been paid in full.

**Commented [Young, Ad5]:** I'm not sure what this is and I can't find a section which refers to a final inspection certificate. Seems like #1, #2 and #4 would cover everything.

#### **Sec. 158.147. Responsibility for violations.**

All nuisance and building related code violations will be cited and noticed to the owner of record and shall become the owner's responsibility. The owner of any abandoned structure shall be obligated to provide written notice to any prospective purchaser of any abandoned structure of any violations, fees, or obligations imposed by the city regarding that abandoned structure. Failure of an owner to comply with this section shall constitute a violation of this chapter. If the owner sells or otherwise disposes of the property to another party, the new owner shall not be entitled to any extension of time to correct or address such violations as existed at the time of sale, transfer, or conveyance of the property.

#### **Sec. 158.147. Penalty.**

(A) A person who violates or fails to comply with the requirements of this chapter is guilty of a misdemeanor and shall be fined not more than \$(INSERT) or imprisoned not more than ninety (90) days, or both, for each offense.

(B) Each day that an owner of an abandoned or vacant structure fails to comply with the requirements of this subchapter shall constitute a separate offense.

(C) In addition to any other penalty provided for in this section, this subchapter may

**Commented [Young, Ad6]:** You may want to mirror the current language found in Section 158.148, (D) which says "A violation of this subchapter is a misdemeanor offense subjecting the violator to the penalties set forth in Section 10.99."

be enforced by suit for injunction, action for damages, or any equitable relief appropriate to the enforcement of this subchapter.

**Sec. 158.147. Independent authority.**

The authority conferred in (INSERT) is separate from and in addition to the authority set forth in (INSERT) of the Code of Ordinances and may be exercised jointly with or independent of the authority provided for in (INSERT).

Commented [Young, Ad7]: I'm not exactly sure what this is intending to accomplish. Seems like it could be deleted.

**SECTION 2. SEVERABILITY.**

This ordinance and each of the various parts, sections, subsections, sentences, phrases, and clauses hereof are declared to be severable. If any part, section, subsection, sentence, phrase, or clause is determined to be invalid or unenforceable by a court of competent jurisdiction, it is hereby provided that the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect.

**SECTION 3. REPEAL OF ORDINANCES IN CONFLICT HEREWITH.**

Any and all Ordinances of the City of Marine City or any parts or provisions thereof, to the extent that they are contrary to or inconsistent with the provisions of the within Ordinance, are hereby expressly repealed.

**SECTION 4. RATIFICATION**

All other provisions of the Code of Ordinances of the City of Marine City, Michigan except as herein modified or amended are hereby expressly ratified and affirmed.

**SECTION 5. PUBLICATION.**

This Ordinance shall be published in accordance with the terms, provisions, and requirements of the City Charter of the City of Marine City, Michigan, and in accordance with and to the extent required by the statutes of the State of Michigan.

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall take effect on the first day of (MONTH/YEAR), in accordance with the provisions and requirements of the City of Marine City. The City Clerk is hereby directed to publish this Ordinance within fifteen (15) days after the date of adoption as required by section 7.2 of the City Charter of the City of Marine City.

**ORDINANCE DECLARED ADOPTED.**

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Cheryl Vercammen, Mayor  
City of Marine City, Michigan

**CERTIFICATION**

The foregoing is a true and complete copy of an Ordinance adopted by the City Commission of the City of Marine City, County of St. Clair, State of Michigan, at a regular meeting of the City Commission held on the DAY day of MONTH, YEAR, and public notice of said meeting was given pursuant to and in accordance with the requirements of Act No. 267 of the Public Acts of 1976, as amended, being the Open Meetings Act, and the Minutes of said meeting have been or will be made available as required by said Act.

Members Present:

Members Absent:

It was moved by Commissioner NAME and supported by Commissioner NAME to adopt the Ordinance.

Ayes:

Nays:

The Ordinance was declared adopted by the Mayor and has been recorded in the Ordinance Book of the City of Marine City.

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NAME, City Clerk  
City of Marine City, Michigan

INTRODUCED:

ADOPTED:

PUBLISHED:

EFFECTIVE:



City of Marine City  
Office of the City Manager  
Holly Tatman  
260 S. Parker St.  
Marine City, MI 48039  
(810) 765-0513  
*Marine City is an Equal Opportunity Provider*

March 7, 2022

Mayor Vercammen and Commissioners:

Re: **Zoning Map Update**

The Planning Commission instructed the City to obtain a quote for professional services to update the City's Zoning Maps. The City currently has an as-needed community planning service contract with Wade Trim which allows them to conduct special projects based on a mutually agreed upon fee. The proposed Zoning Map update would include bringing in new base layers, making zoning district changes as directed by the Planning Commission, develop a new map format and print out several large and small size maps.

Adam Young, Wade Trim Project Manager, has quoted the City a cost of \$1,250.00 to assist in the Zoning Map update.

I am requesting authorization to proceed with utilizing Wade Trim to complete the necessary Zoning Map updates for the City of Marine City at a cost of \$1,250.00.

Sincerely,

Holly Tatman  
City Manager